

# House of Representatives

## *Chamber Action*

**Public Bills and Resolutions Introduced:** 32 public bills, H.R. 5421–5452; and 11 resolutions, H. Con. Res. 282–283; and H. Res. 1405–1413 were introduced.

**Pages H4021–23, H4082–84**

**Additional Cosponsors:** **Pages H4023–24, H4084–85**

**Report Filed:** A report was filed today as follows:

H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, with an amendment (H. Rept. 111–499).

**Pages H4021, H4082**

**Chaplain:** The prayer was offered by the Guest Chaplain, Reverend Dr. Carl White, Highland Baptist Church, Meridian, MS.

**Page H3873**

**Adjournment Resolution:** The House agreed to H. Con. Res. 282, providing for an adjournment or recess of the two Houses, by a yea-and-nay vote of 230 yeas to 187 nays, Roll No. 306.

**Pages H3885–86**

**Suspensions—Proceedings Resumed:** The House agreed to suspend the rules and agree to the following measures which were debated on Tuesday, May 25th:

***Honoring the Centennial Celebration of Women at Marquette University:*** H. Res. 1161, to honor the Centennial Celebration of Women at Marquette University, the first Catholic university in the world to offer co-education as part of its regular undergraduate program, by a  $\frac{2}{3}$  recorded vote of 380 ayes with none voting “no” and 36 voting “present”, Roll No. 308 and

**Pages H3887–88**

***Honoring the University of Georgia Graduate School on the occasion of its centennial:*** H. Res. 1372, to honor the University of Georgia Graduate School on the occasion of its centennial, by a  $\frac{2}{3}$  recorded vote of 412 ayes with none voting “no” and 1 voting “present”, Roll No. 309.

**Pages H3888–89**

***National Defense Authorization Act for Fiscal Year 2011:*** The House began consideration of H.R. 5136, to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense and to prescribe military personnel strengths for such fiscal year. Consideration is expected to resume tomorrow, May 28th.

**Pages H3876–85, H3887, H3889–H4019, H4025**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill shall be

considered as an original bill for the purpose of amendment under the five-minute rule. **Page H3900**

Agreed to:

Bartlett amendment (No. 2 printed in H. Rept. 111–498) that prohibits funds authorized to be appropriated in section 101(5) for other procurement, Army, from being obligated or expended by the Secretary of the Army for line-haul tractors unless the source selection is made based on a full and open competition;

**Page H3986**

Smith (WA) amendment (No. 3 printed in H. Rept. 111–498) that ensures that the spouse, children and parents of a deployed or deploying member of the Armed Forces, who are not covered under the Family Medical Leave Act, have the ability to take at least two weeks of unpaid leave from their job in order to address issues that arise over the course of a deployment cycle;

**Pages H3986–88**

Skelton en bloc amendment No. 1 consisting of the following amendments printed in H. Rept. 111–498: Giffords amendment (No. 9) that authorizes the Secretary of Defense to share with the Department of Homeland Security and the Department of Justice any data gathered during training exercises; Nye amendment (No. 10) that requires the Department of Defense to report to the House Armed Services Committee and the Small Business Committee on their plans to support the Regional Advanced Technology Clusters; Sessions amendment (No. 16) that establishes a 5-year “pay-for-performance” pilot program for the treatment of traumatic brain injuries; Jackson Lee (TX) amendment (No. 24) that requires the Secretary of Defense shall provide, by December 1, 2010, a report to the Congressional Black Caucus that includes a list of minority-owned, women-owned and disadvantaged-owned businesses over the past 10 years who have received contracts resulting from authorized funding to the Department; Watson amendment (No. 36) that inserts language based on H.R. 4900 and H.R. 5247, that contain the following provisions: (1) the establishment of a new National Office for Cyberspace; (2) management and oversight reforms for agency information security programs; (3) security related acquisition requirements for federal information technology investments; (4) the establishment of a federal Chief Technology Officer; and (5) make the Director of the National Office for Cyberspace a member of the National Security Council and grant the office additional government-wide coordinating responsibilities; McMahon amendment (No. 63) that expresses a Sense of Congress to encourage the Secretary of the Navy to name a naval vessel after

Medal of Honor recipient and Navy chaplain, Father Vincent Capodanno; and Tonko amendment (No. 70) that expresses a Sense of Congress encouraging the development of next generation semiconductor technologies;

**Pages H3990–H4001**

Skelton en bloc amendment No. 2 consisting of the following amendments printed in H. Rept. 111–498: Burton (IN) amendment (No. 20) that expresses the Sense of Congress that the President, as Commander-in-Chief, should treat all military personnel and military families equally and overturn the policy that prohibits sending a presidential letter of condolence to the family of a member of the Armed Forces who has died by suicide; Holden amendment (No. 22) that makes any person who served in combat as a pilot or crew member of a Medevac unit beginning June 25, 1950, eligible for the Combat Medevac Badge; Pomeroy amendment (No. 23) that authorizes the continuation of the Joint Family Support Assistance Program; Latham amendment (No. 26) that expresses the Sense of Congress that an erroneous interpretation of recent changes to age and service requirements for reserve retirement pay should be corrected; Kennedy amendment (No. 27) that adds neurology to the list of selected residency programs at military medical treatment facilities subject to a program review; and Tim Murphy (PA) amendment (No. 45) that directs the Surgeons General of the Army, Navy, and Air Force to submit a report to Congress on whether additional behavioral health professionals are needed to treat members of the Armed Forces for PTSD/TBI, and offer recommendations for ways to provide incentives for health care professionals to join active and reserve components;

**Pages H4003–08**

Skelton manager's amendment (No. 1 printed in H. Rept. 111–498) that corrects a variety of technical errors in the bill (by a recorded vote of 421 ayes with none voting "no", Roll No. 310);

**Pages H3984–86, H4013–14**

Marshall amendment (No. 4 printed in H. Rept. 111–498) that expresses the sense of Congress that the Chief of the National Guard Bureau should issue fire-resistant utility ensembles to National Guard personnel who are engaged, or likely to become engaged, in defense support to civil authority missions that routinely involve serious fire hazards, such as wildfire recovery efforts (by a recorded vote of 423 ayes with none voting "no", Roll No. 311);

**Pages H3988–90, H4013–14**

McGovern amendment (No. 13 printed in H. Rept. 111–498) that includes a Sense of Congress stating that hunger and obesity are impairing military recruitment and must be properly addressed (by a recorded vote of 341 ayes to 85 noes, Roll No. 312);

**Pages H4001–03, H4014–15**

Andrews en bloc amendment No. 3 consisting of the following amendments printed in H. Rept. 111–498: Pascrell amendment (No. 29) that requires that the same cognitive screening tool be used pre-deployment and post-deployment until a new, comprehensive policy for screening our soldiers to detect cognitive injuries is implemented; Harman amendment (No. 34) that calls for expedited and priority consideration of an application for permanent change of base or unit transfer for victims of sexual assault to reduce the possibility of retaliation against the victim; Brown-Waite amendment (No. 40) that expands the eligibility for the Army Combat Action Badge to those soldiers who served during the dates ranging from December 7, 1941, to September 18, 2001; Space amendment (No. 46) that requires the Secretary of the VA to send an electronic copy of service members' separation paperwork to the States; Walz amendment (No. 48) that revises the language of the Alternative Career Track Pilot Program slightly to ensure officers are not penalized with regards to promotion for participating in the pilot program; Carson amendment (No. 52) that amends the Department of Defense pre-separation counseling program to provide discharging service members and their spouses with financial and job placement counseling; and Hare amendment (No. 54) that directs the Secretary of the Army to deliver a report to Congress that provides a detailed explanation of the Army's Heirloom Chest policy, the Army's plans to continue the Heirloom Chest program, and a cost estimate for the procurement to expand the number of Heirloom Chests to additional family members;

**Pages H4015–19**

Skelton en bloc amendment No. 4 consisting of the following amendments printed in H. Rept. 111–498: Owens amendment (No. 12) that provides Congress enhanced and updated budget and quantity information on proposed equipment purchases; Polis amendment (No. 17) that clarifies that federal agencies can procure commercially available fuels that have less than a majority proportion of alternative fuels with greater life cycle emissions than traditional petroleum fuels; Dingell amendment (No. 18), as modified, that requires the Secretary of Defense to provide the Agency for Toxic Substances and Disease Registry with information pertaining to Marine Corps Base Camp Lejeune's historic drinking water contamination no later than 90 days after enactment; Jackson Lee (TX) amendment (No. 25) that makes available post-traumatic stress counseling for civilians affected by the Fort Hood shooting, and shootings at other domestic military bases; Etheridge amendment (No. 28) that clarifies that the Department of Defense Office of Economic Adjustment's

existing grant-making authority for community adjustment and economic diversification to assist communities affected by the 2005 Base Realignment and Closure Process includes development assistance; Putnam amendment (No. 35) that expresses a sense of Congress in support of recreational hunting and fishing on military installations; Chandler amendment (No. 37) that strikes section 2412(c), which would prohibit funds from being allocated to the Blue Grass Army Depot Chemical Demilitarization program as it is currently contracted; and Richardson amendment (No. 44) that requires Transportation Command (TRANSCOM) to update the PORT LOOK 2008 Strategic Seaports study; **Pages H4026–31**

Andrews en bloc amendment No. 5 consisting of the following amendments printed in H. Rept. 111–498: Bordallo amendment (No. 5) that incorporates the text of H.R. 44, the Guam World War II Loyalty Recognition Act, into the bill as Title XVII; Coffman amendment (No. 6) that requires the Department of Defense to formulate and submit a plan to establish a domestic source of neodymium iron boron magnets for use in the defense supply chain; Shea-Porter amendment (No. 7) that requires the President to commission a study to assess the need for and implications of a common alignment of world regions in the internal organization of departments and agencies of the Federal government with international responsibilities; Kratovil amendment (No. 11) that clarifies that no funds authorized to be appropriated in this Act or otherwise made available to the Department of Defense shall be used in violation of section 1040 of the National Defense Authorization Act for Fiscal Year 2010; McGovern amendment (No. 14) that requires the President to certify that the Afghanistan Independent Election Commission and the Afghan Electoral Complaints Commission have the professional capacity, legal authority and independence to carry out and oversee free, fair and honest elections, absent the fraud that characterized the 2009 presidential elections, before funds are made available to support the holding of elections in Afghanistan; Conyers amendment (No. 19) that requires the Secretary of Defense, in coordination with the Secretary of State, to issue a report evaluating naval security in the Persian Gulf and the Strait of Hormuz; Lee (CA) amendment (No. 31) that expresses the Sense of Congress that there is potential for additional and significant cost savings through further reductions by the Secretary of Defense in waste, fraud, and abuse and that the Secretary should make implementation of remaining Government Accountability Office recommendations an utmost priority of the Department of Defense; and Schakowsky amendment (No. 33) that requires the Special Inspector General for Afghanistan Recon-

struction to report on existing oversight of contractors in Afghanistan, as well as to make recommendations for increasing oversight, decreasing reliance on contractors responsible for civilian deaths, and preventing contractors responsible for waste, fraud, and abuse from getting future contracts; **Pages H4038–43**

Andrews en bloc amendment No. 6 consisting of the following amendments printed in H. Rept. 111–498: Lipinski amendment (No. 39) that requires the Department of Defense to solicit bids from domestic suppliers when procuring articles, materials, or supplies for use outside of the United States; Braley amendment (No. 41) that requires the Secretary of Defense, with contributions from the Secretary of State and Secretary of Veterans Affairs, to submit a report on the long-term costs of Operation Iraqi Freedom and Operation Enduring Freedom; Murphy (CT) amendment (No. 43) that requires the Department of Defense to include in its yearly assessment of waivers granted under the Buy American Act to include in that report an analysis of the domestic capacity to supply the articles, materials or supplies procured from overseas and an analysis of the reasons for the yearly increase or decrease in Buy American waivers granted; Broun amendment (No. 50), as modified, that expresses the sense of Congress strongly encouraging the President to order the flag of the United States flown on military outposts of the United States in the Republic of Haiti; Edwards (MD) amendment (No. 51) that directs the Department of Defense to include the impact on domestic jobs in their periodic assessments of defense capability; and Price (NC) amendment (No. 57) that extends certain provisions of the Fiscal Year 2008 National Defense Authorization Act pertaining to private security contractors in Iraq and Afghanistan to additional overseas areas with a significant contractor presence; **Pages H4043–48**

McMahon amendment (No. 62 printed in H. Rept. 111–498) that expresses a Sense of Congress concerning the implementation of the Congressionally-mandated recommendations of the Institute of Medicine study; **Page H4048**

Skelton en bloc amendment No. 7 consisting of the following amendments printed in H. Rept. 111–498: Herseth Sandlin amendment (No. 38) that requires reports to Congress on U.S. bomber modernization, sustainment and recapitalization efforts in support of the national defense strategy; Childers amendment (No. 49) that requires the Secretary of Defense to submit a report to Congress regarding the procurement and the feasibility of sustained low-level production of Mine Resistant Ambush Protective Vehicles; Foster amendment (No. 53) that directs the Secretary of Defense to commission an independent study by assessing the optimal balance

of unmanned versus manned platforms, and the current ability of each branch of the military to defend against unmanned aerial vehicles; Luján amendment (No. 60) that instructs the Administrator of the National Nuclear Security Administration to encourage technology transfer activities at its national security laboratories that will lead to enhanced private-sector employment opportunities; Hinchey amendment (No. 72) that requires the Department of Defense to apply the Buy American Act to the procurement of photovoltaic devices purchased through subcontracts; Hinchey amendment (No. 73) that requires armed private security contractors who are using U.S. citizens in Iraq or Afghanistan to hire those individuals as direct employees rather than independent contractors; and Connolly amendment (No. 75) that requires the Secretary of Defense to establish monitoring and evaluation mechanisms for its programs in the Horn of Africa;

**Pages H4050–55**

Inslee amendment (No. 82 printed in H. Rept. 111–498) that requires the Department of Defense to take into consideration during the KC–X or any successor aerial tanker replacement program any unfair competitive advantage an offeror may possess, and to report any such unfair competitive advantage to Congressional defense committees within 60 days of bid submissions (by a recorded vote of 410 ayes to 8 noes, Roll No. 313);

**Pages H4011–13, H4060**

Gutierrez amendment (No. 21 printed in H. Rept. 111–498) that stipulates that, should the Secretary of Defense determine that BP or its subsidiaries performing any contract with the Department are no longer a “responsible source,” the Secretary shall consider debarring BP or its subsidiaries from contracting with the Department no later than 90 days after making such determination (by a recorded vote of 372 ayes to 52 noes, Roll No. 314);

**Pages H4031–32, H4060–61**

Eshoo amendment (No. 42 printed in H. Rept. 111–498) that requires the DNI to cooperate with GAO inquiries that are initiated by Committees (by a recorded vote of 218 ayes to 210 noes, Roll No. 315);

**Pages H4032–35, H4061–62**

Patrick J. Murphy (PA) amendment (No. 79 printed in H. Rept. 111–498) that repeals “Don’t Ask Don’t Tell” only after: (1) receipt of the recommendations of the Pentagon’s Comprehensive Review Working Group on how to implement a repeal of DADT (due December 1, 2010) and (2) a certification by the Secretary of Defense, Chairman of the Joint Chiefs and President that repeal is first, consistent with military readiness, military effectiveness, unit cohesion and recruiting, and second, that the DoD has prepared the necessary policies and regula-

tions to implement its repeal (by a recorded vote of 234 ayes to 194 noes, Roll No. 317);

**Pages H4055–60, H4062–63**

Sarbanes amendment (No. 47 printed in H. Rept. 111–498) that requires non-Defense agencies to establish contractor inventories and insourcing programs to mirror current law for the Department of Defense (by a recorded vote of 253 ayes to 172 noes, Roll No. 318);

**Pages H4035–38, H4063–64**

Skelton en bloc amendment No. 8 consisting of the following amendments printed in H. Rept. 111–498: Dahlkemper amendment (No. 56) that allows the Secretary of Defense to make excess non-lethal supplies available for domestic emergency assistance purposes, in coordination with the Secretary of Homeland Security; Kirkpatrick amendment (No. 58) that eliminates gaps in existing law that have resulted in unauthorized and improper disposal of Department of Defense property; Kosmas amendment (No. 59) that requires DoD and NASA to conduct a study of the feasibility of joint usage of the NASA Shuttle Logistics Depot; Perriello amendment (No. 65) that ensures that Department of Defense in sourcing decisions are performance based by excluding from consideration the value of employer sponsored health plans and retirement benefits plans provided by both DoD and private government contractors; Titus amendment (No. 69) that provides the Secretary of Defense the flexibility to change the effective date of the Homeowners Assistance Program for members of the armed forces permanently reassigned during the mortgage crisis; Critz amendment (No. 71) that allows military claims offices to pay full replacement value, instead of fair market value, on claims that fall outside the current contractual arrangements for providing full replacement value for the household goods of service members and civilian employees moved at the expense of the Department of Defense; Connolly amendment (No. 76) that standardizes federal agency and OPM reporting requirements regarding federal internship programs; and Grayson amendment (No. 78) that requires cost or price be given at least equal importance in evaluating competitive proposals for procurement contracts with the United States Department of Defense; and

**Pages H4064–67**

Teague amendment (No. 68 printed in H. Rept. 111–498) that provides health insurance to dependents of permanently and totally disabled veterans, as well as veterans who died from serviced connected disabilities, through the age of 26.

**Pages H4067–68**

Rejected:

Pingree (ME) amendment (No. 80 printed in H. Rept. 111–498) that sought to strike funding for the Joint Strike Fighter’s Alternate Engine Program (by

a recorded vote of 193 ayes to 231 noes with 3 voting “present”, Roll No. 316). **Pages H4008–11, H4062**

Proceedings Postponed:

Shea-Porter amendment (No. 81 printed in H. Rept. 111–498) that seeks to require a penalty for prime contractors that do not provide information to databases on contracts in Iraq and Afghanistan, and it adds a reporting requirement and **Page H4068**

Skelton en bloc amendment No. 9 consisting of the following amendments printed in H. Rept. 111–498: Courtney amendment (No. 8) that seeks to transfer the Troops to Teachers program from the Department of Education to the Department of Defense; Hastings (FL) amendment (No. 15) that seeks to require the Department of Defense, in consultation with the Secretary of State, Attorney General, Secretary of Homeland Security, Administrator of the United States Agency for International Development, and heads of other appropriate Federal agencies to produce a needs assessment of U.S. affiliated Iraqis and their status; Shadegg amendment (No. 30) that seeks to prohibit members of the Armed Forces or veterans from receiving burial benefits if they are convicted of certain sexual offenses requiring them to register as “Tier III” sex offenders; Holt amendment (No. 32), as modified, that seeks to require that the Secretary of Defense ensure that each member of the Individual Ready Reserve or those designated as Individual Mobilization Augmentees who have served at least one tour in Iraq or Afghanistan receive at least quarterly counseling and health and welfare calls from personnel properly trained to provide such services; Luetkemeyer amendment (No. 55) that seeks to direct the Secretary of each military department to review the service records of eligible Jewish American veterans from World War I to determine whether such veterans should be awarded the Medal of Honor; Markey (CO) amendment (No. 61) that seeks to create the Department of Veterans Affairs HONOR Scholarship Program for veterans’ pursuit of graduate and post-graduate degrees in behavioral health sciences; Minnick amendment (No. 64) that seeks to authorize the Secretary of Education to provide support to help cover operating costs of new state programs under the National Guard Youth Challenge Program; Schrader amendment (No. 66) that seeks to require the Secretary of Defense to ensure that each member of a reserve component of the Armed Forces who is mobilized or demobilized is provided a clear and comprehensive statement of the medical care and treatment to which such member is entitled under Federal law by reason of being so mobilized or demobilized; Schrader amendment (No. 67) that seeks to instruct the DoD Inspector General to conduct a study assessing the medical processing of National Guard and Reserve soldiers mobilizing

and demobilizing under Title X; Klein (FL) amendment (No. 74) that seeks to require companies that are applying for Department of Defense contracts to certify that they do not conduct business in Iran, as defined by Section 5 of the Iran Sanctions Act; and Pingree (ME) amendment (No. 77) that seeks to require the Department of Defense to continue commissary and exchange stores at Naval Air Station Brunswick through September 30, 2011.

**Pages H4068–73**

H. Res. 1404, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of 241 yeas to 178 nays, Roll No. 307, after the previous question was ordered without objection.

**Page H3887**

**Committee Resignation:** Read a letter from Representative Shuster, wherein he resigned from the Committee on Armed Services, effective today.

**Page H4077**

**Presidential Message:** Read a message from the President wherein he transmitted to Congress the National Security Strategy of the United States—referred to the Committee on Armed Services.

**Page H3889**

**Quorum Calls—Votes:** Two yea-and-nay votes and 11 recorded votes developed during the proceedings of today and appear on pages H3885–86, H3887, H3889, H388–89, H4013, H4013–14, H4014–15, H4060, H4060–61, H4061–62, H4062, H4062–63 and H4063–64. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 11:53 p.m.

## *Committee Meetings*

### **INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS**

*Committee on Appropriations:* Subcommittee on Interior, Environment, and Related Agencies held a hearing on BP-Transocean Deepwater Horizon Oil Disaster: Ongoing Response and Environmental Impacts. Testimony was heard from the following officials of the Department of the Interior: Ken Salazar, Secretary; David J. Hayes, Deputy Secretary; Tom Strickland, Assistant Secretary, Fish, Wildlife and Parks; and Marcia McNutt, Director, U.S. Geological Survey; and Bob Perciasepe, Deputy Administrator, EPA.

### **LOW-INCOME/MINORITY SERVING INSTITUTIONS**

*Committee on Education and Labor:* Subcommittee on Higher Education, Lifelong Learning, and Competitiveness held a hearing Examining GAO’s Findings on Efforts to Improve Oversight of Low-Income and